Cross-Border Acknowledgment V: Education as Compliance Infrastructure — How EU Rule-of-Law Conditionality Governs Hungarian Universities

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I. National Case Numbers (Hungary)

Ombudsman Case: EBF–AJBH–309–2025
Administrative Court Case: 7. Kpk. 750.239/2025/2
Data Protection Authority Case (NAIH): J-427-3/2025
Accreditation Committee Reference (MAB): MAB/477-4/2025

II. European Union Case Numbers

EU Commission Complaint No.: 86019
(Verified in the official Commission-generated document.)
EU Rule-of-Law / Funding Oversight:
Council Implementing Decision (EU) 2022/2506
Commission Resolution C (2024) 9140 final

III. Evidentiary Verification Statement

All case numbers, filings, appendices, legal submissions, and evidentiary materials can be independently verified through the author's **ORCID profile (0009-0005-4228-1124).**
The ORCID functions as the master directory containing:
The Administrative Obstruction in the European Union Medical Education: Series
SSRN DOIs
ResearchGate uploads
Photographic appendices
Specimen deficiency documentation
Gatekeeper of Rights I–V
NAIH Data Breach filings
The EU Commission Filing (Ref. 86019)

IV. Scope of Evidence Included in This Dossier

Universal Identifier Page governs — and is cross-verified via
ORCID/SSRN/MAB/ECFMG/NAIH records — the following works:
Administrative Obstruction in EU Medical Education (Series I–IV)
Denied Access to the Scalpel for Dissecting the Specimen: A Legal Case Study of academic obstruction from Semmelweis University
Specimen Deficiency as Educational Obstruction:
Gatekeeper of Rights I & II
Ghost Students: The Legal Fiction of FM/CV Status
Cross-Border Acknowledgment Reports (PIPER Framework)
Administrative Obstruction in the EU Medical Education VI: Systematic Failure
Over-Enrolled and Under-Served:
Oral Exams Without Standards:
NAIH Data Breach Filing & Evidence
EU Commission Complaint 86019

Abstract

Cross-Border Acknowledgment V: Education as Compliance Infrastructure — How EU Rule-of-Law Conditionality Governs Hungarian Universities argues that, in Hungary, higher education has been repurposed as a delivery mechanism for ***EU rule-of-law conditionality*** rather than a self-standing system of academic governance. Building on the Semmelweis University case documented in the ***Administrative Obstruction in EU Medical Education I–VI series, Cross-Border Acknowledgment of Academic Obstruction and Gatekeeper of Rights I–III,*** the article shows how the collapse of domestic remedies under Article 47 of the EU Charter of Fundamental Rights creates a vacuum that is increasingly filled ex post by EU budget conditionality, Erasmus+ mobility restrictions and accreditation-based trust mechanisms.^1–^6

At ***the micro level, the Semmelweis dossier*** records denial of access to compulsory anatomy dissection based on unwritten ***"signature revocation"*** rules, containerized anatomy and over-enrolment, degraded cadaveric specimens, unstructured oral examinations, and problematic student-data practices, including a ***live SharePoint spreadsheet linking names, Neptun IDs, and internal status labels***—all in a heavily international, fee-paying medical programme.^3,^4,^37,^39,^42,^44 These practices breach both the university's own Study and Examination Regulations and basic European Standards and Guidelines (ESG) for fair assessment, adequate resources, and transparent information management.^14,^19

At the meso level, the article shows how ***Hungary's institutional remedies—Semmelweis University, the Commissioner for Fundamental Rights (Ombudsman, case EBF–AJBH–309–2025), the National Authority for Data Protection and Freedom of Information (NAIH, case J-427-3/2025), the Hungarian Accreditation Committee (MAB/477-4/2025) and the Administrative Court (7.Kpk.750.239/2025/2)—***produce what the series terms a ***Passive Institutional Perceptive Engagement Record (PIPER):*** each body acknowledges the dispute and cites the correct legal framework, but none issues a merits-based decision on equal treatment, educational rights or data protection.^2–^6,^18

At the macro level, the article situates this ***micro-evidence within EU rule-of-law conditionality***: ***Regulation 2020/2092 and Council Implementing Decision 2022/2506*** linking cohesion-policy and ***Recovery and Resilience Facility (RRF)*** funds to ***"super-milestones"*** on judicial independence, anti-corruption, and academic-freedom safeguards; continued ***Erasmus+/Horizon restrictions for foundation-run universities***; and the Commission's handling of ***Standard Complaint No. 86019***, which logs the Semmelweis case as rights-relevant but defers to a structurally deficient domestic system.^8–^10,^12,^13,^36

The central claim is that EU instruments now treat higher education as compliance infrastructure: Erasmus+ mobility, cross-border recognition of degrees, and accreditation files become indirect levers over universities in a Member State where domestic remedies no longer reliably protect fundamental rights. Conditionality thereby operates as a "shadow remedy": it cannot fix the individual case, but it penalizes the system that produced it. The article concludes that, unless Article 47-level protections are restored in Member States, the Union will increasingly rely on indirect levers—funds, mobility, accreditation—to police systems that still fail students in

the classroom, entrenching a double deficit where individuals receive no practical remedy and systemic failures are addressed only through budgetary pressure.

Keywords

EU rule of law; conditionality; higher education governance; Erasmus+; Horizon Europe; Semmelweis University; Hungary; accreditation; Article 47 Charter; Ombudsman; medical education; WFME; ESG; data protection; GDPR.

1. Introduction: From Rights Protection to Compliance Infrastructure

This article is the ***fifth instalment in the Cross-Border Acknowledgment series.*** The earlier parts documented how a single whistleblower case in Hungarian medical education, centered on Semmelweis University in Budapest, gradually migrated from a "local dispute" into a cross-border governance problem. ***Cross-Border Acknowledgment of Academic Obstruction*** showed how denial of access to compulsory anatomy practicals, specimen deficiencies, and opaque grading rules were already affecting the international portability of a medical degree, raising questions for foreign employers, accreditors, and host countries that receive Semmelweis graduates.^1 ***Cross-Border Acknowledgment III – Institutional Record of Accreditation Correspondence*** then traced how the same set of facts was silently absorbed into the files of quality-assurance actors such as the ***Hungarian Accreditation Committee (MAB), the World Federation for Medical Education (WFME) and the Educational Commission for Foreign Medical Graduates (ECFMG),*** creating what that paper termed a **Passive Institutional Perceptive Engagement Record (PIPER).^2**

In parallel, the ***Administrative Obstruction in EU Medical Education*** series has reconstructed the underlying fact pattern at Semmelweis University as a legal case study of structural failure in an EU medical program. Part I, ***Denied Access to the Scalpel for Dissecting the Specimen***, set out the core events: an international student in good standing was barred from anatomy dissection classes based on an unwritten "signature revocation" rule that contradicted the university's own Study and Examination Regulations, while containerized anatomy labs, over-enrolment, missing muscles on cadaveric specimens and unstructured oral examinations raised basic questions of fairness, resource adequacy and compliance with European Standards and Guidelines (ESG).^3 Subsequent parts expanded this record: Part V documented the closure of domestic remedies and the use of procedural devices to avoid reaching the merits of the equal-treatment complaint; Part VI analyzed how data-protection practices—such as a live SharePoint spreadsheet linking names, Neptun IDs, and academic status—amounted to "informational obstruction" in the exercise of rights.^4 The *Gatekeeper of Rights* series, in turn, examined the response of Hungary's Commissioner for Fundamental Rights (Ombudsman) and equality bodies, showing how a formally robust institutional architecture can, in practice, operate as a gatekeeper that prevents difficult education cases from ever crystallizing into enforceable findings.^5

Cross-Border Acknowledgment IV: The Collapse of Domestic Remedies under EU Charter Article 47 drew these strands together and argued that, in the Semmelweis case, Hungary's domestic system had effectively become a closed-loop environment for higher-education grievances. The university, the **Ombudsman (case EBF–AJBH–309–2025**), the National Authority for Data Protection and Freedom of Information (**NAIH, case J-427-3/2025**), the **Hungarian Accreditation Committee (MAB/477-4/2025)** and the Administrative Court

(7.Kpk.750.239/2025/2) each acknowledged the matter, cited the correct statutory provisions and then declined to provide a substantive remedy.^6 The result, as that paper argued, is a form of "procedural non-decision": a pattern in which no authority denies that the problem exists, yet none accepts responsibility for resolving it. This dynamic closely parallels concerns already identified in EU administrative-law scholarship about the "silence of the authorities" and the erosion of rights protection through inaction rather than explicit refusal. ^7

Against that backdrop, the present article asks a different question. Suppose domestic remedies in a Member State do not function effectively for higher-education cases with a precise cross-border dimension. What role does ***EU rule-of-law conditionality*** play in policing the system from outside? Since ***2022, Hungary's access to several EU funding streams***—including parts of cohesion policy and the ***Recovery and Resilience Facility (RRF)—***has been made contingent on fulfilling "***super-milestones"*** related to judicial independence, anti-corruption safeguards, and academic-freedom guarantees. ^8. Foundation-run universities have faced restrictions or heightened scrutiny in ***Erasmus+ and Horizon Europe partnerships***. At the same time, the ***European Parliament and the Commission*** have repeatedly linked concerns about governance and transparency in higher education to broader rule-of-law proceedings.^9 At the same time, the Commission's response to **Standard Complaint No. 86019,** which explicitly referenced the Semmelweis case, stopped short of any infringement procedure; instead, it logged the information, acknowledged its relevance, and pointed back to the domestic system as the locus of primary responsibility.^10

This article argues that, taken together, these developments show higher education being repurposed as ***compliance infrastructure*** within the ***EU's rule-of-law*** toolbox. By ***"education as compliance infrastructure",*** the article refers to the way in which universities and their quality-assurance ecosystems become the domestic hardware through which Brussels attempts to enforce soft controls over governance, while formally insisting that education remains a national competence. Erasmus+ mobility, Horizon partnerships, cross-border recognition of degrees, and accreditation files are not merely neutral technical instruments; in a context of rule-of-law conditionality, they function as levers that can reward or penalize institutions in Member States whose internal remedies no longer offer credible protection for students' rights. The Semmelweis case illustrates this shift: although every Hungarian authority involved in the matter has, so far, avoided deciding on the merits, the case has nonetheless entered EU-facing channels via accreditation correspondence, QA documentation, and complaints to ECFMG, WFME, and the European Commission. ^2–^4,^11

This is not to suggest that Brussels directly governs classroom decisions or exam formats in Budapest. Instead, the claim is more precise. Where domestic remedies for higher-education rights are structurally ineffective, EU conditionality converts the education system into an indirect enforcement grid. Degrees from a given university continue to circulate across borders only to the extent that QA agencies, foreign regulators, and EU institutions retain trust in the underlying governance and rights-protection environment. When that trust erodes, the first consequences appear not as court judgments but as mobility restrictions, frozen partnerships, "conditional" accreditation statuses, or reputational flags in Commission and parliamentary reports. Education thus becomes—in practice if not in law—an instrument of rule-of-law policy, even as students are told that their grievances are "purely domestic" and outside the EU's remit.

The article's structure reflects this logic. Section 2 reconstructs the EU conditionality architecture surrounding Hungarian higher education, focusing on rule-of-law funding levers, Erasmus+/Horizon restrictions, and the foundation-university model. Section 3 briefly recapitulates the Semmelweis dossier as a structured dataset rather than a personal narrative, drawing on the ***Administrative Obstruction***, ***Cross-Border Acknowledgment,*** **and** ***Gatekeeper of Rights*** **series.** Section 4 develops the conceptual framework of ***"education as compliance infrastructure,"*** situating it within existing literature on administrative silence and EU fundamental rights protection. Section 5 traces how conditionality reaches the classroom through mobility, accreditation, and cross-border trust in degrees. Section 6 offers a focused case study of what occurs when domestic remedies collapse, yet degrees continue to be recognized, utilizing the PIPER model and the concept of ***"informational obstruction."*** Section 7 provides a legal analysis of ***Article 47 of the Charter,*** conditionality, and the boundaries of EU intervention in the education sector. Section 8 delineates policy and quality assurance implications for EU institutions, accreditation bodies, and recipient countries. Finally, Section 9 reflects on the sustainability of treating education as a form of compliance infrastructure within the European Union's rule-of-law framework.

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2. The EU Conditionality Architecture Around Hungarian Higher Education

The Semmelweis case does not sit in a vacuum. It unfolded at the same time as a broader reconfiguration of the ***EU's relationship with Hungary***, in which access to substantial parts of the Union budget has been tied to compliance with rule-of-law benchmarks, and in which higher education is increasingly treated as both a risk area and a transmission belt for conditionality. Understanding this architecture is essential for understanding why a single medical faculty's approach to anatomy labs, oral exams, and student data has acquired relevance far beyond Budapest.

2.1 Rule-of-Law Conditionality and Funding Levers

The immediate legal basis for the EU's current stance toward ***Hungary is Regulation (EU, Euratom) 2020/2092*** on a general regime of conditionality for the protection of the Union budget.^12 That instrument allows the Council, on a proposal from the Commission, to adopt measures where breaches of the principles of ***the rule of law in a Member State*** "affect or seriously risk affecting" the sound financial management of the Union budget or the protection of its financial interests. Hungary became the first test case for this regime when the Commission triggered the mechanism in 2022. The **Council responded with Implementing Decision (EU)** 2022/2506, which froze or restricted access to specific cohesion-policy funds and Recovery and Re**silience Facility (RRF) grants** until a set of "remedial measures" and "super-milestones" were fulfilled. ^8

Formally, these measures are budgetary in nature. They target deficiencies in public procurement, anti-corruption frameworks, conflict-of-interest management, and judicial independence that have direct implications for the use of EU funds.^8 Yet the remedial catalogue extends into domains that overlap with higher education and research governance, including transparency in foundation-managed entities, safeguards for academic freedom, and the avoidance

of political capture in institutions that receive or channel EU money.^8 In practice, this means that universities and research institutes—especially those placed under so-called "public interest" trust foundations—are now part of the conditionality perimeter, not just passive beneficiaries of Erasmus+, Horizon Europe or structural funds.

At the same time, ***Hungary's national Recovery and Resilience Plan (RRP)*** includes components on ***digitalization, education and skills, and research and innovation*** that are themselves subject to milestone-based disbursement.^13 These milestones do not simply measure the completion of infrastructure projects or the adoption of legislation; they also track whether governance reforms in the ***judiciary and in anti-corruption enforcement*** have been credibly implemented.^8 As a result, higher-education institutions that depend on RRP-funded projects, or that sit inside foundation structures scrutinized under the conditionality regime, find their operating environment indirectly shaped by assessments of the rule of law that are made in Brussels.

The Semmelweis dossier enters this architecture not because the Commission has opened case-specific infringement proceedings—which it has not—but because the patterns it reveals are structurally congruent with the concerns identified in the conditionality decision. The use of unwritten rules to deny access to compulsory classes, the refusal of authorities to decide on the merits of an equal-treatment claim, and the informal handling of sensitive student data on a live spreadsheet^3,^4,^6 all speak to the same underlying problem: a domestic governance culture that avoids transparency and accountability, especially in settings that generate revenue from international students. In this sense, the case functions as a micro-level illustration of the macro-level deficiencies already flagged in the conditionality process.

2.2 Erasmus+, Horizon, and the Foundation-University Model

Beyond general budget conditionality, the EU has deployed more targeted levers in the field of education and research. Following the conversion of many Hungarian public universities into entities managed by public-interest trust foundations, the Commission and the European Parliament expressed concerns that the governance of these foundations—including the composition and appointment of their boards, often populated by political office-holders—was incompatible with basic expectations of transparency, conflict-of-interest management, and academic freedom.^9 This led to restrictions on the conclusion of new contracts under Erasmus+ and Horizon Europe for foundation-run institutions, pending credible reforms.

Although these measures were not framed as criminal-law sanctions, their impact on higher education was immediate. Erasmus+ is the Union's flagship mobility program; restricting an institution's ability to sign new mobility or partnership agreements sends a clear signal to other universities and national agencies about the level of trust the EU is prepared to place in that institution's governance. Horizon Europe, similarly, is not just a funding stream but a certification mechanism: participation in consortia is a proxy for inclusion in a trusted research network. When universities lose access to these instruments, they are not only deprived of money but also of recognition and reputational capital.

Semmelweis University sits within this broader ecosystem. While it is formally the Hungarian national authority and the university's own management that decide how anatomy labs are organized, how oral exams are conducted, or how students' Neptun IDs are displayed in

spreadsheets, those decisions have consequences for the institution's credibility as a partner in Erasmus+ and Horizon projects. Practices such as containerized anatomy teaching, over-enrolment that exceeds physical capacity, and opaque oral-exam grading^3, ^4, ^39 are not merely internal pedagogical choices; in a conditionality environment, they are data points that can feed into the **Commission's and Parliament's perceptions** of systemic risk in Hungarian higher education. ^9

Moreover, Erasmus+ and Horizon assume that participating institutions have functioning internal remedies and quality-assurance mechanisms. A receiving university or a national agency in another Member State has no realistic way to investigate whether an outgoing Semmelweis student was denied access to compulsory classes on a discriminatory basis or graded in an arbitrary oral exam. It relies instead on the fact that the sending institution is accredited, subject to ESG-based external review, and embedded in a legal order where Article 47 of the Charter is meaningful.^1,^14,^19 Cross-Border IV has already shown that, in the Semmelweis case, those assumptions do not hold.^6 The result is a structural asymmetry: degrees and credits travel freely under Erasmus+ rules, while the underlying rights violations remain trapped in a domestic system that produces acknowledgments without remedies.

2.3 Accreditation and Cross-Border Recognition as Control Nodes

A parallel set of levers operates through accreditation and recognition mechanisms. Within the European Higher Education Area, quality assurance is organized around the Standards and Guidelines for ***Quality Assurance in the European Higher Education Area (ESG),*** with national agencies coordinated via the ***European Association for Quality Assurance in Higher Education (ENQA)*** and the ***European Quality Assurance Register for Higher Education (EQAR***).^14 In medical education, additional layers exist: WFME recognition of accreditation agencies, ECFMG's reliance on those recognitions for graduate eligibility, and the ENIC–NARIC networks that advise on cross-border recognition of qualifications.^19

The ***Hungarian Accreditation Committee (MAB***) plays a central role within this framework. It is the national authority responsible for program and institutional accreditation, having sought and obtained recognition from WFME. Furthermore, it provides reports on the quality of Hungarian medical programs to external stakeholders.^18 Upon the submission of file ***MAB/477-4/2025 by MAB*** in response to the Semmelweis dossier, the matter transcended a private dispute between a student and a faculty member; it became part of the accreditation documentation of Hungary's leading medical school.^2,^18 This documentation, in turn, serves as a critical input for **WFME, ECFMG, ENQA/EQAR reviewers**, and international regulators who evaluate whether Hungarian medical programs adhere to essential standards of fairness, resource sufficiency, and academic integrity.^18,^19

Accreditation decisions and reports thus function as control nodes in the conditionality architecture. They translate qualitative concerns—such as degraded cadaveric specimens, denial of access to compulsory practical classes or unstructured oral assessments that disproportionately harm international students^3, ^4, ^37—into structured findings about ESG compliance or non-compliance. Those findings can then be used by EU institutions when assessing whether a Member State's systems for quality assurance and rights protection are credible. They are also used by third-country regulators (for example, through ECFMG's 2024 accreditation requirements for

degrees awarded by WFME-recognized agencies) as proxies for trust in the degrees awarded by those systems. ^19

The Semmelweis case engages these nodes in multiple ways. First, it raises classic ESG questions: the absence of clear, published rules on exam retakes and practical access (ESG 1.8), the lack of fair and transparent assessment procedures (ESG 1.3), and the adequacy of learning resources and support for a heavily international cohort (ESG 1.6).^3,^37,^39,^14 Secondly, it signals potential systemic discrimination against international students, which intersects with both EU non-discrimination law and with concerns about the use of English-language fee-paying programs as revenue generators without corresponding investment in quality.^4 Thirdly, it tests whether MAB, as a WFME-recognized agency, is willing and able to treat such evidence as accreditation-relevant rather than dismissing it as a "one-sided complaint".^2,^18

In a functioning **rule-of-law environment**, these nodes would complement national remedies: courts, Ombudsmen, and data-protection authorities would address individual violations, while accreditation and recognition mechanisms would assess systemic performance. In the Hungarian setting documented in ***Administrative Obstruction in the EU medical VI*** and ***Cross-Border IV***, however, the logic is inverted. Because domestic remedies have stalled, accreditation files and cross-border recognition channels have become the primary venues for recording rights-based concerns in higher education. This is one of the keyways in which education is converted into compliance infrastructure: the same reports and decisions that determine whether a degree will be recognized abroad also serve as indirect monitors of whether a Member State respects the principles on which access to EU funds and programs is premised.

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3. Recap of the Semmelweis Case as a Data Set (Not a Personal Narrative)

The Semmelweis case has now been described across multiple papers: ***Denied Access to the Scalpel for Dissecting the Specimen; Administrative Obstruction in EU Medical Education Parts I–VI; Cross-Border Acknowledgment of Academic Obstruction and Cross-Border Acknowledgment III; and the Gatekeeper of Rights series.^1–^5*** Rather than retelling the story in narrative form, this section reconstructs the case as a structured data set. The purpose is twofold. First, to make clear that what is at issue is not an isolated complaint but a repeatable pattern that can be coded, compared, and analyzed. Second, to show how that pattern aligns with the concerns identified in the EU's rule-of-law and conditionality architecture.

3.1 What Cross-Border IV Already Established

Cross-Border Acknowledgment IV: The Collapse of Domestic Remedies under EU Charter Article 47 demonstrated that, by mid-2025, the Semmelweis case had passed through all of Hungary's main rights-protection and oversight channels without any of them issuing a merits-based decision. ^6 The article tracked five institutional "gates":

1. **Semmelweis University (faculty and rectorate)** – which denied the student access to compulsory anatomy dissection classes based on an unwritten "signature revocation" rule, refused to acknowledge that this contradicted the university's own Study and Examination

Regulations (SZMSZ/HKR), and later sent a takedown request for a lawfully published research paper documenting the case. ^3, ^4

2. **The Commissioner for Fundamental Rights (Ombudsman)** – which opened case EBF–AJBH–309–2025 - conducted a preliminary inquiry but ultimately closed the matter by referring to a parallel administrative court case and treating the dispute as a question of university autonomy rather than equal treatment and educational rights. ^5,^6
3. **The National Authority for Data Protection and Freedom of Information (NAIH)** – which registered complaint J-427–3/2025 about a live SharePoint spreadsheet displaying students' names, Neptun IDs, courses, and academic status, but confined its response to narrow GDPR-formalities and did not engage with the broader concept of "informational obstruction" in access to rights.^4,^6
4. **The Hungarian Accreditation Committee (MAB)** – which opened file MAB/477-4/2025 after receiving the Semmelweis dossier, thereby acknowledging that the case was relevant to the external quality-assurance record, yet has so far not issued any publicly available accreditation finding that addresses the substantive allegations. ^2, ^18
5. **The Administrative Court** – which registered the student's lawsuit but refused to examine the core equal-treatment claim, instead terminating the proceedings on procedural grounds (lack of jurisdiction or formal defects) in decision ***7. Kpk. 750.239/2025/2,*** without ordering any fact-finding or expert evidence on resource adequacy, exam practices, or discrimination. ^6

Taken together, these institutional responses form what ***Cross-Border Acknowledgement IV*** termed a "**closed-remedy loop":** each body acknowledges the existence of a dispute, cites the correct legal framework (equal treatment, educational rights, GDPR, quality assurance, administrative procedure), and then diverts the case away—either to another body in the loop or into procedural silence.^6 No authority denies that the facts, if true, would raise serious concerns. Instead, the system ensures that no one is placed in a position where they must decide whether those facts are compatible with Hungarian law and with the EU Charter of Fundamental Rights.

3.2 Core Fact Pattern: Access, Assessment, Data

Within that closed loop, the factual pattern is remarkably stable across all documents and time points. It can be reduced to three clusters: **access to compulsory education**, **assessment and grading practices**, and **informational control over students' rights**.

(a) Access to compulsory education

The first cluster concerns access to anatomy dissection and practical classes. In ***Denied Access to the Scalpel for Dissecting the Specimen*** and ***Administrative Obstruction in the EU medical education I - VI*****,** the student's status is documented via Neptun records, tuition receipts and registration histories showing full-time enrolment and payment in the English-language General Medicine programme.^3 When the student failed ***Macroscopic Anatomy & Embryology II*** on the first attempt, the faculty applied an unwritten "signature revocation" rule: despite the absence of any such sanction in the ***SZMSZ/HKR, the anatomy department*** refused to sign the semester and blocked the student from participating in subsequent dissection classes.^3,^42

The university's own ***Study and Examination Regulations***, as later cited in ***Administrative Obstruction in the EU medical education I – IV*** and in the student's submissions to the Ombudsman, treat "**signature"** as an attestation of course-completion requirements, not as a retroactive punishment for a failed exam; they ***do not authorize denial of ongoing course access to a tuition-paying, registered student***.^4,^42 This mismatch between written rules and actual practice is central: it turns access to compulsory teaching into a discretionary privilege controlled by a department, rather than a legal entitlement grounded in the regulations and in the student's contract.

(b) Assessment and grading practices

The second cluster concerns the way students are assessed. Across ***Administrative Obstruction in the EU medical education*** , the *Containerized Anatomy* and **"Oral Exam Without Standards"** papers, the Semmelweis dossier describes a set of practices that are difficult to reconcile with basic expectations of fairness and transparency.^3,^37,^44 Anatomy teaching for large international cohorts is conducted in container units and overcrowded labs, with too few tables and body donors for the number of students registered; photographs and witness statements document missing structures on specimens, including a cadaver with no identifiable serratus anterior muscle used for an exam.^3,^37

Examinations in anatomy and other subjects are predominantly oral, with little or no recording, written trace or published criteria. The ***"Oral Exam Without Standards"*** case study documents how questions are loosely anchored to extensive topic lists, examiners enjoy wide discretion in topic selection and grading, and there is no systematic mechanism for post-hoc review or appeal, particularly for international students who lack language and cultural familiarity.^44 The combined effect is a grading environment where outcomes are highly dependent on individual examiner behavior, room conditions and specimen quality, and where students have almost no way to prove bias or error ex post. This is precisely the kind of opaque assessment culture that the ESG and WFME standards were designed to prevent. ^14,^19

(c) Informational control and "informational obstruction"

The third cluster relates to control over information. In August 17 2025, the Neptun circulated a live SharePoint spreadsheet that displayed students' names, Neptun IDs, courses and internal annotations about academic status (e.**g. "signature revoked", "repeat", "problematic**"). ^4 When the spreadsheet was circulated via a public link, screenshots were taken and later annexed to complaints submitted to NAIH and to the Ombudsman. NAIH acknowledged receipt (***J-427-3/2025)*** but focused narrowly on technical GDPR issues, without addressing the way in which such a tool can be used as a lever to control students' access to information about their own status and prospects. ^4

Administrative Obstruction in the EU medical education I -IV enveloped the concept of ***"informational obstruction"*** to capture this phenomenon: the use of fragmented, inconsistent or selectively shared information to prevent students from understanding and exercising their rights.^4 That concept covers delayed or incomplete responses to information requests, conflicting explanations of rules (for example, about FM/CV status and eligibility for practical), and the weaponization of digital tools—such as SharePoint lists and Neptun filters—as informal sanctions.

In a system dependent on international tuition fees, informational obstruction serves a dual purpose: it keeps students uncertain enough to remain compliant, and it prevents the accumulation of a clear evidentiary record that could be used in court or in external QA reviews.

3.3 Cross-Border Acknowledgment I–III and Gatekeeper I–III as Externalization Channels

The ***Cross-Border Acknowledgment I -IV and Gatekeeper of Rights I -IV*** series document how this fact pattern gradually spilled beyond the walls of Semmelweis University and Hungary's domestic institutions, becoming visible to cross-border actors in accreditation, recognition, and EU governance.

Cross-Border Acknowledgment of Academic Obstruction reframed the Semmelweis case as a cross-border recognition problem: if a medical school systematically denies access to compulsory practicals, uses opaque oral-exam practices, and treats international students as disposable revenue sources, what does that mean for host countries and employers who later rely on its degrees?^1 That paper argued that recognition bodies, **foreign regulators and prospective employers in other Member States cannot simply assume that a Semmelweis diploma reflects fair and equitable treatment in line with the principles of the Bologna Process and the European Higher Education Area.**

Cross-Border Acknowledgment III – Institutional Record of Accreditation Correspondence traced how the case entered the archives of the **Hungarian Accreditation Committee (MAB), WFME, ECFMG and other QA actors** through formal submissions and replies.^2 It introduced the **PIPER concept (Passive Institutional Perceptive Engagement Record**) to describe the pattern whereby institutions acknowledge receipt of detailed evidence, place it in a file, and then refrain from taking visible action. The core insight was that even this **"passive"** engagement matters: once a dossier is inside accreditation and recognition files, it becomes part of the background against which future evaluations, site visits, and recognition decisions are made. ^2

The ***Gatekeeper of Rights I – IV s***eries, meanwhile, focused on the Ombudsman and equality machinery. ***Gatekeeper of Rights I*** examined the legal mandate of the ***Commissioner for Fundamental Rights in education*** and the expectations created by Hungary's constitutional and statutory framework.^5 ***Gatekeeper of Rights II*** documented how, in practice, the Ombudsman's office opened investigations and then quietly closed education cases—including the Semmelweis case—by invoking procedural considerations or referring to other bodies, without testing the alleged rights violations against Hungary's duties under EU law and the Charter.^5 ***Gatekeeper of Rights III connected this behavior to the broader EU rule-of-law debate***, arguing that a formally independent Ombudsman that systematically avoids taking a position on sensitive higher-education disputes effectively functions as a gatekeeper that protects institutions rather than rights.^5

Taken together, these papers show that the Semmelweis case is not a ***"one-sided student complaint"*** but a multi-dimensional data set. It contains:

- **Regulatory data** (text of SZMSZ/HKR provisions versus actual practice);^42
- **Operational data** (classroom capacity, container use, specimen condition, exam formats);^3,^37,^44

- **Procedural data** (timelines and content of responses from the university, Ombudsman, NAIH, MAB and courts);^4–^6, ^18
- **Cross-border data** (correspondence with WFME, ECFMG, EU Commission complaint No. 86019, and accreditation bodies abroad);^2,^10,^11
- **Behavioral data** (patterns of institutional acknowledgment without remedy—the PIPER model).^2,^6

This is the basis on which the rest of the present article proceeds. Instead of asking whether a particular student was **"treated fairly"** in a narrow sense, it treats the Semmelweis dossier as a case study of how a higher-education system behaves under financial and political pressure, in an environment where EU conditionality has turned education into a component of compliance infrastructure. The next section develops the conceptual vocabulary for that claim.

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4. Education as Compliance Infrastructure: Conceptual Framework

The Semmelweis dossier, reconstructed as a data set in Section 3, reveals a system in which rights are rarely denied explicitly but are frequently neutralized through procedural maneuvers, informational control and fragmented institutional responses.^3,^4,^6 This pattern is not unique to Hungary; it echoes concerns in EU administrative-law scholarship about the ***"silence of the authorities"*** and the way non-decisions can erode fundamental rights protection without producing a reviewable act.^7 What is distinctive in the Hungarian case is that this domestic dynamic now coexists with an external regime of EU rule-of-law conditionality that partially depends on higher education and research systems for implementation.^8,^12

This section develops the conceptual vocabulary needed to describe that relationship. It introduces the notion of *education as compliance infrastructure*: the idea that universities, quality-assurance mechanisms and cross-border recognition channels are increasingly used as domestic hardware for ***EU-level rule-of-law supervision,*** even though education formally remains a national competence. It then characterizes institutions like ***Semmelweis University*** and the ***Hungarian Accreditation Committee (MAB) as compliance contractors within that infrastructure.***

4.1 From Article 47 CFR to Conditionality by Other Means

Article 47 of the Charter of Fundamental Rights guarantees the right to an effective remedy before an independent and impartial tribunal whenever rights and freedoms guaranteed by Union law are violated. In the higher-education context, this can be triggered indirectly—through EU non-discrimination law, data-protection rules, Erasmus+ mobility arrangements or the reliance of national systems on EU funds and programmes.^7,^12,^14,^19 Yet, as *Cross-Border IV* showed, the existence of formal procedures and institutions is not enough; what matters is whether the system leads to a substantive decision on the core rights issue.^6

In the Semmelweis case, the domestic system produced what might be termed **a *closed-remedy environment*:** every gate was open in principle, but none led to a merits-based assessment.^6 The university invoked autonomy and unwritten ***"signature revocation"*** practices; the Ombudsman referred to the court case; the court focused on procedural grounds; NAIH

narrowed the complaint to technical GDPR questions; MAB opened a file without visible follow-up.^3–^6,^18 This is precisely the kind of environment that Eliantonio describes when analyzing ***the "silence of the EU authorities":*** rights are not denied in a way that generates an act subject to review, but are drained of practical effect through inaction and fragmentation.^7

When this happens within a purely national legal order, the consequences are significant but confined. In an EU Member State, however, such a closed-remedy environment has additional effects because national institutions are embedded in a multi-level system of funding, recognition and mutual trust. The ***EU's rule-of-law conditionality regime***—anchored in ***Regulation 2020/2092*** and ***Council Implementing Decision 2022/2506***—assumes that Member States have functioning judicial systems and oversight bodies that protect the Union's financial interests.^8,^12 Erasmus+, Horizon and cross-border recognition of qualifications similarly assume that higher-education institutions operate within a legal framework where students and staff can obtain redress for violations of their rights.^9,^14,^19

Where these assumptions no longer hold, the ***EU faces a dilemma. It*** lacks a **direct legal mandate to intervene in individual higher-education disputes**, and education remains primarily a national competence.^10 At the same time, it cannot ignore evidence that a Member State's institutions are failing to protect rights that are relevant for the sound management of EU funds, the integrity of Erasmus+ mobility and the trust underpinning cross-border recognition of degrees. The response, seen in the Hungarian case, has been to shift from *direct* rights protection to *indirect* enforcement through conditionality: access to EU funds, participation in Erasmus+ and Horizon, and the reputational status of national QA systems become levers through which the Union incentivizes compliance. ^8,^9,^13

In this sense, conditionality functions as a ***shadow remedy***. It does not resolve the individual case—the Semmelweis student remains without a domestic judgment on the merits of his equal-treatment claim—but it changes the risk calculus for the institutions and the state that produced the violation.^6,^8 The data points generated by the case—correspondence with MAB, dossiers lodged with WFME and ECFMG, a logged complaint in the Commission's system (No. 86019)—feed into an EU-level assessment of whether Hungary can be trusted with EU funds and with the cross-border credibility of its degrees.^2,^10,^11

The concept of education as compliance infrastructure captures this shift. It describes a situation in which higher-education systems and their governance structures are used not only to deliver teaching and research, but also to carry the weight of EU-level oversight in environments where Article 47 CFR is hollowed out in practice. The infrastructure is not new—universities, QA agencies and recognition networks have long existed—but its function is altered by the overlay of rule-of-law conditionality.

Three characteristics of this infrastructure are particularly salient in the Semmelweis case:

1. **Indirectness** – The EU does not instruct Semmelweis how to conduct anatomy exams or oral assessments. Instead, it relies on signals from accreditation agencies, Ombudsmen, courts and complaint systems to assess systemic reliability. When those signals indicate consistent avoidance of merits-based decisions, the EU reacts not by regrading exams but by altering the institution's access to funds and programmed. ^8,^9,^18

2. **Lagged response** – Conditionality operates on a different timescale than individual grievances. The student's access to a dissection lab is denied in real time; the EU's response, if any, will come months or years later, perhaps in the form of a funding freeze, a critical Rule of Law Report paragraph or a condition attached to Erasmus+ participation.^8,^13 This temporal mismatch means that, for individual students, conditionality is not a remedy but a macro-level accountability mechanism.

3. **System-level signaling** – Once a case like Semmelweis enters accreditation records and Commission files, it no longer belongs to the individual alone. It becomes part of the evidence base that informs decisions about an entire sector or country. The "one student vs one university" narrative is replaced by a "systemic risk vs Union values" narrative in which individual harms are proxies for governance failures.^2,^6,^18

This is the structural backdrop against which the next subsection situates specific institutions as *compliance contractors*.

4.2 Universities as Compliance Contractors

Within this infrastructure, universities and related bodies assume a dual role. On the one hand, they remain providers of education and research; on the other, they act as *compliance contractors* tasked—implicitly or explicitly—with demonstrating to Brussels that the Member State is a reliable steward of EU funds and of cross-border academic trust.

Semmelweis University exemplifies this dual role. As documented in ***Administrative Obstruction in the EU medical education I - IV*** and ***Denied Access to the Scalpel***, the institution operates a commercially attractive, English-language General Medicine programmed that draws in substantial tuition revenue from international students.^3,^4 At the same time, it belongs to a cohort of Hungarian universities that have been placed under public-interest foundations and are therefore at the center of EU concerns about governance, conflict of interest and academic freedom.^8,^9 In this configuration, Semmelweis functions as a frontline contractor: its governance practices, QA arrangements and treatment of international students are observed not only by domestic regulators but also, indirectly, by EU institutions assessing Hungary's compliance with rule-of-law conditions.

The takedown letter sent by Semmelweis to the author of ***Denied Access to the Scalpel*** **a**nd related papers is revealing in this regard. ^3,^4,^40 Rather than engaging with the substance of the documented violations, the university framed the research as reputationally harmful and demanded its removal from SSRN, ResearchGate and other platforms. This move is difficult to reconcile with basic academic-freedom principles and with ESG expectations on openness to criticism.^14 It makes sense, however, if the university is acting in a compliance-contractor mindset: critical research that exposes governance failures is perceived as a threat to the institution's image at a time when EU conditionality has made that image a factor in funding and partnership decisions.

The **Hungarian Accreditation Committee (MAB**) plays a similar contractual role, but at a different point in the chain. By opening file **MAB/477-4/2025 on the Semmelweis dossier, MAB**

acknowledges that the case is relevant to external quality assurance. ^18 Whether it chooses to act upon that dossier—by imposing conditions, demanding remedial action or merely archiving it—is itself a signal to external observers. A robust response would demonstrate that Hungary's QA system can correct educational-rights failures without EU intervention; a weak or non-existent response suggests that QA institutions are part of the same closed-remedy environment described in *Cross-Border IV*. ^2,^6,^18

Describing universities and QA agencies as compliance contractors does not imply that they are consciously colluding with the state to evade EU scrutiny. Rather, it highlights the incentives created by the conditionality environment. When access to EU funds and programmed depends on "trust" in a Member State's institutions, those institutions have an interest in managing appearances and minimizing documented instances of failure. In such a context:

- Universities may priorities reputation management over honest engagement with whistleblowers, including by issuing takedown demands or downplaying evidence of discrimination and resource inadequacy.^3,^4,^40
- QA agencies may treat detailed, evidence-based complaints as "one-sided" or "individual grievances", thereby avoiding the need to re-open accreditation decisions that would signal systemic problems to EU and international partners. ^2,^18
- Ombudsmen and courts may rely on procedural routes to close files without addressing the core rights issues, reducing political friction while maintaining a façade of institutional activity. ^5,^6

From the perspective of the affected student, these behaviors look like obstruction. From the perspective of EU conditionality, they generate noisy but intelligible signals: repeated patterns of non-decision, reputational defensiveness and avoidance of merits-based adjudication are red flags that inform Commission and Parliament assessments of whether governance reforms are credible. ^8,^9,^36

The concept of education as compliance infrastructure, and of universities as compliance contractors, thus helps to explain why the Semmelweis case has significance beyond its immediate context. It is not only about anatomy labs, oral exams or one individual's treatment. It is about how a higher-education system behaves when placed under the pressure of EU rule-of-law conditionality, and about how the same actors that fail to protect students' rights domestically are also tasked with convincing Brussels that the system is trustworthy. The following section builds on this framework to trace how conditionality signals—fund freezes, Erasmus+ restrictions, accreditation files—reach the level of the classroom.

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5. Brussels to the Classroom: How Conditionality Enters Daily Educational Practice

The notion of ***"education as compliance infrastructure"*** only matters if it can be traced back to concrete experiences in teaching, assessment and student status. Otherwise, conditionality is just a macro-level story told in Brussels, while the anatomy lab in Budapest continues as before. This section shows how EU-level levers—mobility, research funding and accreditation—translate into classroom reality, even if no one ever mentions "conditionality" in a lecture or exam room.

5.1 Mobility as Leverage: Erasmus+, Horizon and Trust in Degrees

Erasmus+ and Horizon Europe are often presented in policy documents as engines of opportunity: they enable mobility, joint degrees and research collaboration across the Union. ^9 In practice, they also function as trust-filters. A university that participates in these programmed signals to others that it meets basic governance and quality thresholds; a university that is temporarily excluded or restricted sends the opposite signal. When the Commission and Parliament linked access to new Erasmus+ and Horizon contracts for Hungarian foundation-run universities to concerns about governance, conflict of interest and academic freedom, they were not just disciplining a budget line; they were recalibrating the trust equation for an entire higher-education ecosystem. ^8, ^9,^13

From a Semmelweis student's perspective, this is rarely articulated in those terms. What they experience are more immediate phenomena: crowded container labs, missing muscles on cadaveric specimens, opaque oral exams, inconsistent explanations of ***"FM/CV"*** status and the sudden appearance of their name in a SharePoint list that seems to decide who does or does not get access to a practical class.^3,^4,^37,^44 None of this comes with a label saying "this is the downstream effect of EU conditionality". Yet the governance environment in which these practices occur is precisely the one under EU scrutiny: a foundation-run university in a Member State subject to budget conditionality, where domestic oversight bodies have shown reluctance to confront sensitive education cases on the merits. ^5,^6,^8

The mobility dimension sharpens the stakes. Under Erasmus+, a credit earned at Semmelweis anatomy can in principle be recognized by partner universities in Germany, the Netherlands or Scandinavia. Those partners do not see the internal SharePoint list, the unwritten "signature revocation" practice or the degraded specimen used in a particular oral exam; they see a transcript and the fact that Semmelweis is accredited and participates in EU programmes.^1,^2,^14,^19 The entire recognition chain presupposes that the sending institution's internal processes are trustworthy—that if a student is failed, excluded from practical or denied progression, it is for reasons consistent with law and standards, not because of arbitrary departmental rules or discriminatory treatment of international cohorts.

Cross-Border Acknowledgment I of Academic Obstruction argued that this presupposition no longer holds in the Semmelweis case.^1 When access to compulsory dissection is conditioned on unwritten rules, when oral exams operate without transparent criteria or review, and when international students can be effectively "switched off" via internal status codes, the nominal portability of credits under Erasmus+ masks a deeper problem: the exporting of domestic rights failures into a cross-border system that treats the resulting diploma as equivalent to those issued in Member States with functioning remedies.^1,^3,^4,^44 In this sense, mobility becomes leverage in two directions. It gives Hungarian universities access to the prestige and resources associated with Erasmus+ and Horizon, but it also exposes them to reputational and regulatory risks if patterns of abuse become visible in Brussels.

The Semmelweis dossier feeds that visibility. Once annexes showing specimen deficiencies, exam practices and SharePoint screenshots circulate via complaints to national and EU bodies, the "purely domestic" narrative collapses.^2,^4,^6,^10 Even if the Commission declines to intervene directly in the individual case, the information becomes part of the background against which it

assesses Hungary's compliance with rule-of-law conditions and decides whether to maintain, tighten or relax restrictions on foundation-run universities' access to Erasmus+ and Horizon.^8,^9,^13 The daily reality of a student being turned away from a lab because their Neptun status was silently altered is thus connected—through a chain of documentation and complaints—to the macro-level question of whether Hungarian higher education can be trusted as a partner in EU programmed.

5.2 Accreditation Files as Rule-of-Law Sensors

Accreditation processes translate messy realities into structured judgments. Site-visit reports, self-evaluation documents and decision letters condense years of institutional behavior into a handful of findings about ESG compliance. In most systems, these findings are used for quality enhancement and for signaling reliability to students, employers and foreign partners. Under EU conditionality, they acquire an additional role: they become sensors for the health of the rule of law in sectors that depend heavily on EU money and cross-border trust.^8,^14,^19

When ***MAB opened file MAB/477-4/2025*** in response to the Semmelweis dossier, it effectively installed such a sensor in Hungary's flagship medical faculty.^18 The file contains more than a complaint; it holds a curated set of exhibits: photographs of container labs and overcrowded dissection rooms, images of cadavers with missing muscles, screenshots of the SharePoint status list, excerpts from the Study and Examination Regulations showing the absence of any legal basis for "signature revocation", and timelines documenting how university authorities, the Ombudsman, NAIH and courts responded to these issues.^2–^4,^6,^18,^42,^44

If MAB treats this material as accreditation-relevant, it must ask questions that go beyond the individual case. Are oral exam practices compatible with ESG 1.3 on fair and transparent assessment? Does the use of containerized spaces and limited specimens for large groups violate ESG 1.6 on learning resources, particularly for fee-paying international students? Are unwritten rules about practical access consistent with ESG 1.4 on student admission, progression and completion?^14,^19 Conversely, if MAB downplays or ignores these questions, it sends a signal to WFME, ENQA/EQAR, ECFMG and EU institutions that the national QA system is unwilling to confront evidence of discrimination and resource failure in a politically sensitive institution.^18

Cross-Border Acknowledgment III **framed this as a PIPER (Passive Institutional Perceptive Engagement Record)** problem: institutions acknowledge receipt, archive the dossier, and then allow it to sit in the file without visible follow-up.^2 In the conditionality context, that passivity is itself a form of data. For Commission officials and Parliament rapporteurs trying to assess whether Hungarian institutions can be trusted, a QA agency that leaves a case like Semmelweis unresolved is not neutral; it is a warning that external assurances of quality and fairness may be unreliable. That warning then feeds into decisions about whether to accept Hungarian programmed accreditations at face value when determining the release of funds or the opening of new Erasmus+/Horizon calls. ^8,^9,^13,^18

At the classroom level, the consequences may not be immediately visible, but they are real. If accreditation findings trigger conditions or follow-up visits, faculties may be forced to change anatomy lab layouts, increase specimen provision, formalize exam criteria, or abandon unwritten practices like signature revocation. ^3,^37,^44 If accreditation bodies remain inert, universities will

feel little pressure to adjust. Either way, students experience the outcome in concrete terms: whether there are enough tables in the lab, whether an oral exam has clear grading criteria, whether they can rely on published rules rather than informal status codes. Accreditation files thus operate as rule-of-law sensors whose readings ultimately shape the conditions under which students learn.

5.3 EU Complaint 86019 as a "Soft Flag"

The most explicit bridge between the Semmelweis dossier and the ***EU rule-of-law machinery is Standard Complaint No. 86019***, filed with the European Commission.^10 The complaint aggregated the evidence already described in the *Administrative Obstruction in the EU meducal education I – VI* , *Cross-Border Acknowledgment I – IV* and *Gatekeeper of Rights I- V* series: denial of access to compulsory anatomy practical, inconsistent application of FM/CV status, containerized anatomy and specimen deficiencies, unstructured oral exams, the SharePoint data-processing issue, and the failure of domestic bodies (university, Ombudsman, NAIH, MAB, courts) to provide an effective remedy.^1–^6,^18,^42,^44

The ***Commission's reply, sent by DG EAC***, is characteristic of the EU's constrained position in higher-education disputes. ^10 It acknowledges receipt, summarizes the core allegations and recognizes their seriousness, especially considering EU values and the European Higher Education Area's principles of fairness and non-discrimination. At the same time, it stresses that education is a national competence and that the Commission cannot intervene in individual disputes between students and universities absent a direct link to EU law robust enough to justify infringement proceedings.^10 The letter suggests using domestic remedies (Ombudsman, courts, data-protection authority, national QA bodies)—the very channels that *Cross-Border IV* has shown to be structurally non-functional in this case.^6

On its face, this looks like another dead end. ***Complaint 86019 functions*** as what this article terms a ***soft flag*** in the conditionality and rule-of-law ecosystem. By logging the complaint, assigning it a reference number and summarizing its contents, the Commission inserts the Semmelweis dossier into its internal information system. That system is used not only to manage individual complaints but also to prepare annual ***Rule of Law Reports, to brief Commissioners*** and ***Parliament***, and to support decisions on conditionality measures and programmed restrictions.^8,^9,^36 The soft flag does not automatically trigger sanctions or infringement, but it ensures that when officials later assess Hungary's compliance with "super-milestones" or consider lifting Erasmus+/Horizon restrictions, they do so with knowledge that at least one detailed case of educational-rights failure and closed domestic remedies has been brought to their attention.^8,^9,^13,^36

For Semmelweis students, the immediate practical benefit is limited; Complaint 86019 does not re-open their exams or recreate missed dissection classes. But the existence of the soft flag changes the informational playing field. Hungarian authorities can no longer plausibly present higher-education governance as a purely internal matter free of cross-border implications. If they seek to convince the Commission and Parliament that governance reforms are working, they will have to address not just abstract indicators but concrete dossiers like the one documented in *Administrative Obstruction* and *Cross-Border Acknowledgment*. ^3,^4,^6,^10

In this way, Complaint 86019 completes the chain from Brussels to the classroom. Evidence collected in an anatomy lab and an exam room travels through domestic institutions, accreditation files and EU complaint systems, and returns in altered form as part of the context in which decisions on funds, mobility and recognition are taken. The individual case remains unresolved, but it becomes a reference point in a wider process where education functions as compliance infrastructure. The next section examines the legal implications of this dynamic for Article 47 CFR, for the design of conditionality regimes and for the limits of EU intervention in higher-education governance.

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6. Case Study: When Domestic Remedies Collapse but Degrees Still Travel

So far, this article has treated the Semmelweis dossier as an example of how education becomes compliance infrastructure under EU conditionality. This section goes back into the weeds of the case to show, step by step, how that transformation happens: how a local dispute is circulated through domestic "gates", converted into a Passive Institutional Perceptive Engagement Record (PIPER), and finally folded into cross-border accreditation and conditionality assessments—all while the student's underlying situation remains unresolved.

6.1 The Semmelweis Loop: From Complaint to PIPER

Cross-Border Acknowledgment III introduced the PIPER model to describe a recurring institutional pattern: authorities acknowledge receipt of detailed evidence, place it into a file, and then adopt a stance of passive observation rather than active resolution.^2 In the Semmelweis case, this pattern can be traced through a loop that includes the university, the Ombudsman, NAIH, MAB and the Administrative Court.^3–^6,^18

The loop begins at **Semmelweis University**. After the denial of access to anatomy dissection classes via the unwritten ***"signature revocation"*** practice, the student lodged internal complaints and pointed to the Study and Examination Regulations (SZMSZ/HKR) which contain no such sanction.^3,^42 The university's response was to insist on departmental autonomy, to frame the issue as an internal academic matter and, later, to send a formal takedown demand for the student's research papers documenting the case on SSRN and ResearchGate.^3,^4,^40 In other words, it acknowledged the dispute and the publications, but refused to engage with the contradiction between written rules and actual practice.

The student then turned to the **Commissioner for Fundamental Rights (Ombudsman)**, filing a complaint that set out the equal-treatment and educational-rights aspects of the case and enclosed extensive documentary annexes. ^5 The Ombudsman's office opened case EBF–AJBH–309–2025, requested information from the university and produced an internal record of the matter. However, as *Gatekeeper of Rights II* shows, the office ultimately closed the case by citing the existence of an administrative-court action and the boundaries of university autonomy, without assessing whether the denial of access and the assessment practices were compatible with Hungarian law or EU-derived equality obligations.^5,^6 The Ombudsman thus created a file and populated it with evidence but declined to convert that file into a rights-based finding.

Parallel complaints were submitted to **NAIH**, focusing on the live SharePoint spreadsheet that listed students' names, Neptun IDs, course status and internal remarks.^4 NAIH registered the matter as case J-427-3/2025, reviewed the screenshots and communicated with the university.^4 Yet, as *Administrative Obstruction VI* and *Cross-Border IV* point out, the authority chose to treat the issue narrowly in terms of GDPR formalities and did not address the broader question of whether such a tool could function as an instrument of discrimination and "informational obstruction".^4,^6

MAB, for its part, opened file MAB/477-4/2025 when the Semmelweis dossier was forwarded as evidence of potential ESG non-compliance in Hungary's medical accreditation.^2,^18 The file now exists as part of the accreditation record, but there is no public evidence of substantive follow-up: no published accreditation decision that names the case, no explicit requirement imposed on Semmelweis to remedy the documented failures.^18 *Cross-Border Acknowledgement III* categorizes this as classic PIPER behaviour: recognition of relevance, archival of evidence, absence of visible action.^2

Finally, the **Administrative Court** appears at the end of the loop. Faced with a lawsuit that explicitly raised equal-treatment and educational-rights arguments, the court terminated the proceedings on procedural grounds—jurisdictional or admissibility issues—without ordering expert evidence or fact-finding on the underlying allegations.^6 The judgment (7.Kpk.750.239/2025/2) thus becomes another instance of acknowledgment without resolution: the court accepts that a dispute exists and falls within its general remit, but chooses a path that avoids pronouncing on the legality of the university's actions.^6

Viewed together, these five behaviors produce a system-level PIPER: a multi-institutional record in which everyone knows, and no one decides. The evidence accumulated in internal and external files (university correspondence, ***EBF–AJBH–309–2025, J-427-3/2025, MAB/477-4/2025, 7.Kpk.750.239/2025/2)*** can later be read by external actors—accreditors, EU officials, foreign regulators—but it has not been translated into domestic remedies for the affected student.^2–^6,^18 This is the closed-remedy environment in which education becomes compliance infrastructure almost by default: once internal decision-making stalls, the files themselves become tools for external oversight.

6.2 Informational Obstruction and GDPR as a Conditionality Hook

One of the more novel contributions of *Administrative Obstruction VI* is the concept of "informational obstruction": the idea that institutions can obstruct rights not only by denying physical access or issuing unfair grades, but also by controlling, fragmenting or selectively releasing information that students need to understand their legal position.^4 In the Semmelweis case, informational obstruction manifests in several ways:

- The use of **internal status labels** (e.g. "signature revoked", "problematic") in the SharePoint spreadsheet that are not clearly defined in the SZMSZ/HKR and are not communicated in a transparent way to students;^4,^42
- Conflicting explanations of **FM/CV status** and its consequences for access to practical classes, sometimes presented as a guarantee of continued access, sometimes as a ground for exclusion;^4

- Delayed or non-substantive responses to written requests for clarification, forcing the student to infer rules from practice rather than from official documents;^3,^4
- The takedown letter addressing the student's research, which emphasises reputational harm but does not admit or refute the factual claims, thereby obscuring the official position of the university on the events described.^3,^4,^40

From a purely national perspective, these issues might be treated as administrative sloppiness or, at worst, as GDPR violations. Under EU conditionality, they are more than that. The General Data Protection Regulation (GDPR) is directly applicable EU law; systematic misuse of student data or lack of transparency in processing can be relevant for Rule of Law Reports and for assessments of whether Member States uphold EU legal standards in practice.^4,^8,^12

By documenting the SharePoint practice with screenshots, timestamps and cross-references to Neptun records, the Semmelweis dossier creates a concrete example of how informational obstruction operates in an EU-funded higher-education context.^4 NAIH's limited engagement with the broader rights implications—focusing on formalities rather than on how the list could be used to discriminate or intimidate—then adds a second layer: it suggests that the national data-protection authority may be unwilling or unable to confront politically sensitive uses of personal data in higher education.^4,^6

For Commission officials tasked with evaluating Hungary's compliance with rule-of-law milestones and GDPR enforcement obligations, this combination is significant. It aligns with pre-existing concerns about selective enforcement and the protection of vulnerable groups (including students) in sectors that rely heavily on EU funds and cross-border trust.^8,^36 In this way, "informational obstruction" becomes a conditionality hook: it connects granular behaviour in a university department to macro-level questions about whether the Member State can be trusted to enforce EU law impartially.

Again, the impact on the individual student is indirect. Documenting informational obstruction does not reopen the dissection lab. But it does alter how Hungary's institutions are perceived by external actors who control access to funds, programmes and recognition. Over time, as similar patterns are observed in other cases or sectors, these perceptions can crystallise into formal conditionality decisions that affect the entire higher-education system.^8,^9,^13

6.3 Oral Exams, Container Labs and the Equity / ESG Dimension

A third strand that links the Semmelweis case to EU-level oversight is the equity dimension of its assessment and resource practices. *Administrative Obstruction I*, *Containerised Anatomy* and the "Oral Exam Without Standards" case study collectively show a set of conditions that disproportionately burden international, fee-paying students: overcrowded container labs, limited body donors with missing structures, high-stakes oral exams with no written trace or clear rubric, and very limited prospects for appeal.^3,^37,^44

From the standpoint of European quality assurance, these are textbook red flags. ESG 1.3 emphasises fair, transparent and consistently applied assessment of students; ESG 1.6 focuses on adequate and accessible learning resources and student support, with particular attention to diverse cohorts; ESG 1.8 expects institutions to operate reliable systems for the collection, analysis and use

of information on student progression, success and satisfaction.^14 The Semmelweis dossier suggests that, in practice, these standards are not being met for a significant portion of the international cohort:

- Assessment is heavily dependent on oral exams that vary widely between examiners and are conducted without recording or clear criteria;^44
- Learning resources in anatomy—cadavers, lab space, teaching staff—are stretched beyond capacity by over-enrolment, leading to containerised teaching and reduced exposure to high-quality dissection material;^3,^37,^39
- Information systems (Neptun, SharePoint) are used more as instruments of internal control than as tools for transparent, student-centred reporting.^3,^4

These problems do not become "European" simply because they occur in a Member State. They become European because they occur in programmes that are marketed to students across the EU and beyond as gateways to portable qualifications, because they intersect with EU non-discrimination norms, and because they are embedded in institutions that receive EU funds and participate in Erasmus+/Horizon programmes.^1,^8,^9,^14,^19

Empirical work on attrition and inequality in Central and Eastern European universities has already highlighted patterns of differential treatment and higher dropout risks among international and lower-status students.^15 The Semmelweis case adds a granular, rights-focused data point to that literature: it shows how these outcomes can be produced not only by socio-economic factors but by specific, avoidable governance choices—unwritten rules, opaque exams, inadequate specimens—made in a university that is formally part of the European Higher Education Area and subject to ESG-based review.^3,^37,^44

In the conditionality context, these ESG failures are not just internal QA issues; they are signals that can affect the trust placed in Hungarian higher education as a whole. A medical degree from a programme where international students are systematically disadvantaged by resource and assessment practices is not equivalent, in substantive terms, to a degree from a system where ESG and equity norms are enforced. When such inequities are documented and linked to closed domestic remedies, they strengthen the case of those within the Commission and Parliament who argue for maintaining or tightening conditionality measures until credible reforms are implemented.^8,^9,^13,^36

For students in the classroom, the link back to Brussels remains invisible. They experience unfair exams, crowded labs and a sense of institutional impunity; they do not see the paragraphs being drafted in Brussels that discuss "governance risks in higher education" or "concerns about academic freedom and non-discrimination in foundation-run universities".^8,^36 The value of reconstructing the Semmelweis case in the way this article does is precisely to make that link visible: to show how these micro-level harms are not random noise, but part of a pattern that EU conditionality mechanisms are slowly, and imperfectly, beginning to register.

The next section turns from description to legal analysis. It asks what all of this means for Article 47 of the Charter, for the design of conditionality regimes, and for the limits of EU intervention when higher-education systems are both protected by national-competence rhetoric and entangled in Union-wide compliance infrastructure.

7. Legal Analysis: Article 47 CFR, Conditionality, and the Limits of EU Intervention

The preceding sections described how the Semmelweis dossier moves through a closed domestic remedy system, into accreditation files and EU complaint channels, and finally into the background of rule-of-law conditionality decisions.^2–^6,^8,^10,^18 This section steps back and asks what that means in law: for Article 47 of the Charter of Fundamental Rights, for the design of conditionality regimes, and for the limits of EU intervention in higher-education governance.

7.1 Article 47 in a Closed-Remedy System

Article 47 CFR guarantees "an effective remedy before a tribunal" for rights and freedoms guaranteed by Union law. In higher education, those rights seldom appear as standalone "student rights" provisions; they arise indirectly, via EU non-discrimination law, data-protection norms, free movement and mutual recognition arrangements, and the Union's financial-interests framework.^7,^12,^14,^19 A student who is refused equal treatment in access to teaching, subjected to discriminatory assessment practices, or exposed to unlawful processing of personal data can, in principle, invoke EU-derived rights—especially where the institution is part of a system funded and integrated through EU programmed such as Erasmus+ and Horizon.^8,^9,^13

In practice, Article 47 operates through national institutions. Courts, Ombudsmen, data-protection authorities and equality bodies are meant to be the "tribunals" and complaint mechanisms that give effect to EU-derived rights in concrete disputes. The Court of Justice has emphasised that remedies must be effective and not render the exercise of EU rights "impossible or excessively difficult", and that formal availability of procedures is not sufficient if, in substance, they cannot address the violation.^7

Cross-Border Acknowledgment IV shows that the Semmelweis case sits in a system where these conditions are not met.^6 The student had formal access to multiple channels—internal university complaints, the Ombudsman (EBF–AJBH–309–2025), NAIH (J-427-3/2025), MAB (MAB/477-4/2025) and the Administrative Court (7.Kpk.750.239/2025/2)—but none of them produced a merits-based assessment of whether the denial of access to anatomy labs, the assessment practices and the handling of student data were compatible with Hungarian law and EU-derived norms.^3–^6,^18,^42,^44

Instead, the system generated what Eliantonio would classify as a chain of *non-decisions*: acts of institutional silence or procedural deflection that avoid triggering full judicial review while still preventing effective enjoyment of rights.^7 The Ombudsman pointed to the existence of a court case; the court relied on procedural grounds; NAIH narrowed the issue to GDPR formalities; MAB archived the dossier without visible follow-up; the university invoked autonomy and reputation without addressing the regulatory mismatch between SZMSZ/HKR and practice.^3–^6,^18,^40,^42

Legally, this environment raises two concerns:

1. **Formal compliance, substantive failure** – On paper, Hungary can claim to offer a dense network of remedies: courts, Ombudsman, equality bodies, data-protection authority, QA agencies. In substance, the Semmelweis dossier documents a context in which these bodies are used to deflect rather than resolve higher-education rights disputes. The right to an effective remedy under Article 47 becomes nominal: present in legislation, absent in outcome.^5,^6

2. **Erosion of mutual trust** – Mutual recognition of qualifications, cross-border mobility, and even the management of EU funds rest on a presumption that Member States' judicial and oversight systems function adequately. A closed-remedy environment in higher education undermines that presumption. Suppose international students in a flagship EU medical school cannot obtain a merits-based ruling on basic equal-treatment and data-protection claims. In that case, it becomes harder for other Member States and third-country regulators to trust that system's outputs. ^1,^2,^8,^14,^19

From a strict doctrinal perspective, the Commission could in principle bring infringement proceedings if it concludes that Hungary systematically fails to secure effective remedies for EU-derived rights—including in education. In practice, as ***Complaint No. 86019*** demonstrates, the **Commission is reluctant to go that far in a field formally designated as a national competence. ^10 It prefers to log the complaint, acknowledge its seriousness, and point back to domestic channels, even when those channels are demonstrably non-functional in the specific case. ^6,^10**

The result is a ***legal grey zone: Article 47*** is being hollowed out in a sector heavily entangled with EU law, but the ***primary guardian of the Treaties*** declines to escalate, relying instead on indirect pressure through conditionality.

7.2 Conditionality as "Shadow Remedy."

In this ***grey zone, rule-of-law conditionality*** operates as a shadow remedy, as this article *describes*. Regulation 2020/2092 and ***Council Implementing Decision 2022/2506*** allow the Union to restrict or suspend funding when breaches of the rule of law affect or risk affecting the Union budget.^8,^12 While these instruments are not designed to provide remedies to individuals, they do respond—at a systemic level—to the same patterns that make individual remedies ineffective: lack of judicial independence, failure to prevent or sanction abuses, structural conflicts of interest, and weak control over authorities that manage EU-linked funds.^8,^36

The Semmelweis case intersects with this framework in several ways:

- The English-language General Medicine program is a revenue-generating activity in a foundation-run university model that has been central to EU concerns about governance and conflicts of interest. ^3, ^8,^9

- The documented practices—unwritten rules on access to compulsory teaching, opaque oral exams, containerized labs, questionable data processing—occur in a context where international tuition fees are significant and where some teaching and infrastructure projects may interact with EU financing. ^3,^4,^37,^39,^42,^44

- Domestic oversight bodies either decline to intervene or treat the case as non-systemic, despite the obvious cross-border implications for recognition, mobility, and trust.^2,^5,^6,^18

From the standpoint of conditionality, this dossier is not just a student complaint; it is evidence of governance failures linked to rule-of-law concerns within an EU-integrated higher-education system. It does not automatically trigger sanctions, but it strengthens the case for treating higher education as part of the conditionality perimeter. When the ***Commission or Council*** decides whether to ***withhold RRF disbursements***, maintain Erasmus+/Horizon restrictions, or attach governance milestones to releases, cases like Semmelweis function as qualitative support for the argument that reforms are not yet effective. ^8,^9,^13,^36

As a *shadow remedy*, conditionality has three key legal characteristics:

1. **Non-individualized** – It does not correct individual infringements; rather, it alters the system's resource and incentive environment that produced them. The student's situation remains unchanged, but the state and its institutions face financial and reputational consequences if similar patterns emerge across sectors. ^8,^12,^36
2. **Indirectly rights-relevant** – Although formally grounded in budgetary law, conditionality decisions are substantively informed by rights concerns. The Commission and Council omit "Semmelweis" in legal acts, but they may reference ineffective remedies in higher education as contextual factors when assessing systemic risks.^8,^36
3. **Weakly visible** – For affected individuals, conditionality decisions are hard to trace back to their own cases. There is no formal recognition that "this RRF tranche was frozen because universities denied you access to a dissection lab". The link is inferential, not explicit.

This creates a tension with the ***logic of Article 47***. The Charter promises an effective remedy to individuals; conditionality offers, at best, a delayed and system-level correction that may or may not improve conditions for future cohorts. From a rule-of-law perspective, the risk is that the EU drifts towards a model in which systemic failures are addressed through funding levers while individuals are left without judicial vindication of their rights.

7.3 The Commission's Position in Complaint 86019: Competence, Caution and Avoidance

The Commission's reply to Standard Complaint No. 86019 is a small but illustrative document on this broader picture.^10 It encapsulates the legal and political constraints under which the EU operates when invited to intervene in higher-education disputes.

Three elements of the reply are particularly telling:

1. **Strict competence framing** – The letter emphasizes that education is a national competence and that the EU's role in higher education is limited to supporting, coordinating, or supplementing Member State actions. It notes that the Charter applies to Member States "only when they are implementing Union law" and that the Commission cannot act as a general appellate body for individual grievances against universities. ^10 This is an accurate restatement of the Treaties. Still, it also functions as a shield: it allows the Commission to avoid taking a position on whether the documented facts at Semmelweis are compatible with Union values and rights, even where those facts clearly intersect with EU programs and legislation. ^1,^4,^8,^14,^19

2. **Deference to domestic remedies** – The Commission encourages the complainant to use national channels—Ombudsman, courts, data-protection authority, QA bodies—despite being informed, through annexed documentation and later through *Cross-Border IV*, that those channels have already been exhausted or blocked without a merits-based decision.^6,^10 This deference is formally consistent with the subsidiarity principle. Still, in a closed-remedy environment, it becomes a form of avoidance: the Commission knowingly sends individuals back into a loop that it has reason to suspect is dysfunctional.

3. **Implicit recognition of systemic relevance** – At the same time, the letter does not dismiss the complaint as trivial. It summarizes the core allegations and frames them in terms of fundamental values: fairness, non-discrimination, academic freedom, and the integrity of the European Higher Education Area.^10 That summary ensures that the dossier remains available as a reference in internal Commission processes, including Rule of Law Reports and conditionality assessments.^8,^36 In this sense, Complaint 86019 is quietly upgraded from "private grievance" to "data point in a systemic evaluation", even as no individual relief is offered.

From a legal perspective, this posture is defensible but problematic. It respects the division of competences and avoids overstepping into national education policy. However, it does so at the cost of leaving Article 47 effectively unenforced in a sector where Union law is deeply embedded. The Commission's decision not to trigger infringement proceedings or to explore the use of Article 2 TEU in relation to higher-education governance signals a preference for political management through conditionality over legal enforcement through the courts.

Normatively, the Semmelweis case suggests that this preference needs to be re-examined. If higher education is going to function as a compliance infrastructure—if Erasmus+, Horizon, accreditation, and recognition are used as levers in rule-of-law conditionality—then the Union cannot indefinitely rely on domestic remedies it knows to be ineffective. Either Article 47 must be operationalized more robustly in sectors like higher education, or conditionality regimes must be redesigned to include clearer, more transparent links between system-level findings and individual rights protection.

In its current form, the EU's approach risks entrenching a double deficit: individuals are denied effective remedies at the national level, and the Union responds not with legal enforcement but with funding pressure that rarely feeds back into concrete corrections for those individuals. The following section addresses this design problem from a policy and quality-assurance perspective, proposing ways to align conditionality, accreditation, and rights protection so that education can serve as a compliance infrastructure without becoming a substitute for justice.

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8. Policy and Quality-Assurance Implications: Designing Non-Fictional Safeguards

If higher education is functioning as a compliance infrastructure in Hungary, and the Semmelweis dossier is a live example of that process, the obvious question is: what now? It is not enough to describe a closed-remedy environment and a shadow-remedy conditionality regime; the architecture needs redesign so that the same channels that carry conditionality also carry absolute protection for students and staff.

This section sets out implications for three groups of actors: **EU institutions *(DG EAC, DG JUST, DG REGIO),* accreditors and QA agencies** (MAB, WFME, ENQA/EQAR, ECFMG), and **students, whistleblowers, and receiving countries**.

8.1 EU Institutions: Make Higher-Education Signals Explicit in Conditionality

At present, higher education appears in EU rule-of-law instruments primarily as background noise. Rule of Law Reports mention academic freedom, foundation-run universities, and concerns about governance; conditionality decisions and RRF milestones refer to judicial independence, anti-corruption, and conflicts of interest; Erasmus+/Horizon restrictions are justified in terms of board composition and transparency.^8,^9,^13,^36 But the connection between these macro-signals and concrete cases like Semmelweis remains implicit.

The Semmelweis dossier suggests that this should change in three ways.

First, Rule of Law Reports and conditionality decisions should explicitly integrate **higher-education QA indicators**. Rather than treating education as a side issue, they should track whether:

- National QA agencies (such as MAB) treat documented denial of compulsory access, opaque assessment, and discriminatory practices as accreditation-relevant; ^2,^3,^18,^37,^44
- Data-protection authorities (like NAIH) address the rights dimension of student-data misuse rather than narrowing complaints to formalities; ^4,^6
- Ombudsmen and equality bodies issue merit-based findings in education cases that clearly raise EU-relevant non-discrimination and data protection issues. ^5,^6

Where these indicators show a consistent pattern of PIPER-style non-decision, that pattern should be cited in conditionality acts and Rule of Law Reports as evidence of systemic failure, just as procurement irregularities or attacks on judicial independence are now cited. ^7,^8,^36

Second, the Commission should develop a **"higher-education annex"** to conditionality and RRF assessments in Member States where foundation-run universities and international tuition play a major role. That annex could summarize:

- ESG compliance concerns documented by QA agencies and external reviewers; ^14,^19
- Severe, well-evidenced whistleblower cases (like Semmelweis) that illustrate failures of equal treatment and effective remedy;^1–^4,^6,^18,^42,^44
- The state of domestic remedies in higher education, based on a sample of cases handled by courts, Ombudsmen, and data-protection authorities.^5,^6

This would not turn the Commission into a ***"super-appeal court"*** for education, but it would stop higher-education rights from disappearing into the abstraction of "governance risks".

Third, ***DG EAC and DG*** should refine their handling of **standard complaints** that sit at the intersection of higher education and rule-of-law concerns. In cases like Complaint 86019, where the complainant provides extensive documentation of both rights violations and domestic-remedy failures, the response should:

- Acknowledge not only the limits of EU competence but also the **conditionality relevance** of the case.
- Commit to using the dossier as input in Rule of Law Reports, RRF milestone monitoring, and Erasmus+/Horizon portfolio decisions; ^8,^9,^13,^36
- Where appropriate, request follow-up information from national authorities (Ombudsman, QA agency, data-protection authority) specifically on how they handled the case. ^6,^10,^18

This would not magically solve the individual dispute, but it would make the "soft flag" function of such complaints explicit rather than hidden in internal files. ^10

8.2 Accreditors and QA Agencies: Treat Rights Failures as QA Failures

For accreditation and QA actors, the Semmelweis dossier underlines a simple point: **there is no meaningful quality assurance without effective rights protection**. A program in which students are denied access to compulsory dissection on unwritten grounds, graded through opaque oral exams, and managed via informal status lists is not just a pedagogical problem; it is a breach of core ESG values.^3,^4,^37,^42,^44

Three concrete implications follow.

(a) Automatic follow-up on whistleblower dossiers

When a QA agency or recognition body receives a detailed, evidence-based dossier like *Denied Access to the Scalpel* and *Administrative Obstruction*, it should not be filed and forgotten.^2–^4,^18 Instead, agencies such as MAB, WFME, and ENQA should:

- Open a **formal case** linked to specific ESG standards (assessment, resources, information management, equality);^14

- Require the institution to provide a written response on each factual allegation (e.g. basis for "signature revocation", number of cadavers per student, exam recording policies);^3,^4,^37,^42,^44
- Decide whether the evidence warrants a **targeted site visit**, conditions on accreditation, or a request for measurable remedial action.^18,^19

Silence or purely procedural replies should be recorded as non-compliance with ESG 1.1 (policy for quality assurance) and ESG 1.7/1.8 (information management and public information).

(b) Elevate denial of compulsory access and opaque assessment to accreditation red lines

Accreditation manuals should explicitly list:

- **Denial of access to compulsory teaching** for enrolled, fee-paying students based on unwritten or retroactive rules.
- **Unrecorded, unstructured oral exams** without transparent criteria or appeal.
- **Systematic use of inadequate specimens or overcrowded teaching spaces** for core clinical subjects

as *red-flag conditions* that will trigger accreditation review or conditional status. ^3,^37,^44

In a ***WFME / ESG environment***, these practices are incompatible with the core purpose of accreditation—ensuring that graduates are fairly evaluated and adequately trained. If QA actors treat them as "internal matters", they become complicit in exporting unreliable degrees into cross-border recognition systems. ^1,^2,^14,^19

(c) Integrate GDPR and "informational obstruction" into ESG evaluations

QA frameworks generally mention student information systems and data management in passing, but the Semmelweis case shows that **informational obstruction** can be a central mechanism of discrimination and administrative control. ^4 Agencies should therefore:

- Assess whether student-status information (such as Neptun codes, SharePoint lists) is used transparently and in line with GDPR and non-discrimination norms; ^4, ^6,^12
- Treat the misuse of such systems—e.g., hidden status codes that silently cut off access to teaching—as non-compliance with ESG 1.3 (assessment) and 1.6 (learning resources), not just IT sloppiness;^14
- Coordinate, where appropriate, with data-protection authorities to ensure that systemic GDPR violations in higher education feed into both QA and rule-of-law evaluations. ^4, ^8, ^36

For bodies like ECFMG that rely on WFME-recognized agencies, the implication is similar. When evidence like the Semmelweis dossier surfaces, they should inquire not only into the institution but into the responsiveness of the QA agency itself, because that responsiveness is now a factor in global trust in European degrees. ^2, ^18, ^19

8.3 Students, Whistleblowers, and Receiving Countries: Building a Cross-Border Evidence Strategy

Finally, the Semmelweis case offers lessons for those at the sharp end: students and staff inside problematic systems, and the universities and regulators in other countries who must decide whether to trust the outputs of those systems.

For **students and whistleblowers**, the key insight is that closed domestic remedies do not render evidence useless. The ***Administrative Obstruction in the EU medical education I -VI* , *Cross-Border Acknowledgment I -IV,* and *Gatekeeper of Rights I- IV*** series collectively demonstrate a strategy that others can emulate:

- **Structuring evidence as a legal-QA data set**, not a personal memoir: timelines, policy excerpts, photos, screenshots, and correspondence organized under headings like access, assessment, resources, data, and remedies; ^1–^6, ^37,^42,^44
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- Anchoring that data in **internationally recognized frameworks *(ESG, WFME, GDPR, Charter rights),*** so that accreditors and EU bodies can read it in their own language; ^7,^12,^14,^19
-
- Publishing through **indexed, citable platforms** (SSRN, ResearchGate, ORCID-linked repositories) to create a durable record that QA agencies, EU officials, and foreign universities can refer to without relying on internal institutional narratives. ^1–^4,^11

The ***"universal identifier page"*** approach—consolidating the case series, legal filings, and appendices under a single ORCID-anchored index—is a particularly transferable model: it allows regulators and prospective employers to view the entire dossier in a single place, rather than chasing down isolated complaints. ^11

For **receiving countries and institutions**—those that admit Semmelweis graduates to residency programs, recognize their degrees, or enter Erasmus+ partnerships—the implication is that due diligence cannot stop at accreditation labels. Where serious, well-documented whistleblower case studies exist, they should be treated as **informational assets**:

- National recognition centers (ENIC–NARICs), medical councils, and residency boards should incorporate such dossiers into their risk assessments when deciding whether to accept qualifications or partner with specific faculties; ^1, ^2,^19
- Host universities should consider whether their own Erasmus+ / mobility arrangements should include **safeguard clauses** for students coming from programs with documented QA and rights-protection failures.
- Regulators should be prepared, in extreme cases, to attach conditions to recognition (additional clinical assessments, probationary periods) where evidence suggests that quality and fairness in the sending institution are systematically compromised. ^1,^2,^3,^37,^44

These measures are not about "punishing" individual graduates for their university's failures; they are about recognizing that mutual trust cannot be blind when detailed, credible evidence points to structural problems. Used carefully, they can also exert leverage on the sending

institutions: the more other countries signal that they are paying attention, the harder it becomes for universities and QA agencies to treat cases like Semmelweis as internal noise.

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9. Conclusion: Education After Conditionality

This article has made a simple but uncomfortable claim. In Hungary, and particularly in the Semmelweis University case, **higher education has been repurposed as compliance infrastructure** within the EU's rule-of-law architecture. Universities, QA agencies and recognition networks have become the domestic hardware through which Brussels tries to manage systemic governance risks, even as individual students are denied effective remedies at home.

The Semmelweis dossier illustrates this transformation in unusually detailed terms. On a micro level, it documents denial of access to mandatory anatomy dissection based on unwritten rules; overcrowded laboratory spaces and degraded cadaveric specimens; unclear, unrecorded oral exams; and the use of internal status lists and SharePoint spreadsheets to manage student progress and information. ^3,^4,^37,^42,^44. On a meso level, it traces how ***domestic oversight bodies***—such as university authorities, the ***Ombudsman, NAIH, MAB, and the Administrative Court***—recognize the dispute, cite relevant laws, and then avoid making decisions on the merits, creating the PIPER pattern of institutional perception without resolution. ^2–^6,^18

At the ***macro level,*** the dossier interacts with EU rule-of-law conditionality, ***Erasmus+/Horizon restrictions***, and accreditation networks. It enters MAB's accreditation files ***(MAB/477-4/2025),*** contributes to a ***Commission complaint (No. 86019)***, and sits in the background of ***Council and Parliament*** debates on whether Hungary has credibly reformed its governance structures.^2,^8–^10,^13,^18,^36 In this way, a dispute that began with a locked anatomy lab becomes part of the evidentiary base for decisions on RRF disbursements, Erasmus+ eligibility, and the overall trustworthiness of Hungarian higher education.

The legal picture that emerges is paradoxical. On paper, ***Article 47 CFR*** promises effective remedies for ***EU-derived rights;*** in practice, the Semmelweis case documents a closed-remedy environment in which non-decisions neutralize those rights.^6,^7 The Commission, faced with this evidence, declines to escalate via infringement, invoking the national competence over education, and instead relies on conditionality levers that operate at a distance and on a delay.^8,^10,^12,^36 The result is a **double deficit**: individuals are left without judicial vindication, and EU institutions address systemic failures through budgetary pressure and soft flags that rarely feed back into concrete corrections for those individuals.

Treating education as compliance infrastructure is not inherently wrong; in some circumstances, it may be the only realistic way for the Union to react to persistent rule-of-law backsliding. But if this model is to be sustainable, it cannot remain as opaque and one-sided as it is in the Semmelweis case. At a minimum, three shifts are needed:

1. **From implicit to explicit** – EU institutions should openly acknowledge the role of higher-education evidence in conditionality decisions and Rule of Law Reports, rather than burying it in internal files and general references to "governance risks".^8,^9,^13,^36

2. **From procedural density to substantive remedies** – Member States must be held to account not just for having Ombudsmen, data-protection authorities and QA agencies, but for what those bodies do with cases like Semmelweis. An effective remedy under Article 47 requires outcomes, not just institutional logos. ^5, ^6,^7
3. **From reputational defense to rights-centered QA** – Universities and accreditation agencies need to realign their incentives: away from suppressing or minimizing whistleblower evidence, and towards treating it as an integral part of quality assurance and system improvement. ^2–^4,^14,^18,^19

Without these shifts, education will continue to function as a somewhat accidental enforcement grid: a place where the ***EU reads the symptoms of rule-of-law failure***, but where students themselves experience only the symptoms, not the cure. The Semmelweis dossier exposes that contradiction. Whether the Union and its Member States choose to resolve it will determine not only the future of Hungarian medical education, but also the credibility of the European project's promise that rights, once granted on paper, will be protected in the classroom as well as in Brussels.

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